HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
and
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION NO.9823 OF 1996

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Between:
Sri N.Virat Swaroop and another

..... Petitioner

AND

The Vysya Bank Limited,
15-1-518, Vysya Bank Building,
Siddiambar Bazar, Hyderabad rep
by its Chief Manager, Sri B.V.Suresh Babu,
and 4 others.

.....Respondents

::ORDER::

Counsel for the Petitioners : none

Counsel for Respondent Nos. 1 to 4 : none

Counsel for Respondent No. 5 : Sri A.Rajasekhar Reddy,

Assistant Solicitor

General

Dated 14/9/2006

Per Sri G.S.Singhvi, CJ

In this petition, the petitioner has prayed for striking down the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (for short 'the 1993 Act'). He has further prayed for issue of a direction to the Debts Recovery Appellate Tribunal, Bombay to waive the requirement of 75% deposit and also to stay the operation of order dated 24.4.1996 passed by the Tribunal.

At the hearing, Sri A.Rajasekhar Reddy, learned Assistant Solicitor General brought to our notice that constitutionality of the 1993 Act has been upheld by the Supreme Court in **Union of India and another Vs. Delhi High Court Bar Association and others.**[1]

In view of the above, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, WPMP Nos.12034, 12035 and 12036 of 1996 filed by the petitioner for interim relief are also dismissed.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY,J

14.9.2006

msv.

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[1] (2002) 4 SCC 275